

### **13A.240 Regulatory impact analysis.**

- (1) Every administrative body shall prepare and submit to the Legislative Research Commission an original and five (5) duplicate copies of a regulatory impact analysis for every administrative regulation when it is filed with the Commission. The regulatory impact analysis shall include, but not be limited to, the following information:
  - (a) The type and number of individuals, businesses, organizations, and state and local governments affected by the administrative regulation; and
  - (b) The direct and indirect costs or savings, including, to the extent available from the public comments received, the:
    1. Effect on the cost of living and employment in the geographical area in which the administrative regulation will be implemented; and
    2. Effect on the cost of doing business in the geographical area in which the administrative regulation will be implemented; and
    3. Compliance, reporting, and paperwork requirements of the administrative regulation on those affected for the first year following the implementation of the administrative regulation, and the continuing costs or savings for the second and subsequent years with any factors which might increase or decrease the cost of the administrative regulation, including the effect on competition being noted; and
  - (c) The direct and indirect costs or savings and paperwork requirements to the promulgating administrative body for the administration and enforcement of the administrative regulation for the first year following the implementation of the administrative regulation, and the continuing costs or savings for the second year with any factors which might increase or decrease the cost of the administrative regulation being noted; and
  - (d) An assessment of any anticipated effect on state and local revenues; and
  - (e) The source of the revenue to be used for the implementation and enforcement of the administrative regulation; and
  - (f) To the extent available from the public comments received, the economic impact of the administrative regulation on the geographical area in which the administrative regulation will be implemented, and on the state, including the effects of the economic activities arising from the administrative regulation; and
  - (g) An assessment of alternative methods for accomplishing the purpose of the administrative regulation and the reasons why they were rejected in favor of the administrative regulation; and
  - (h) An assessment of the expected benefits of the administrative regulation; and
  - (i) A statement:
    1. Identifying the effects of the administrative regulation on the public health and environmental welfare of the geographical area in which the administrative regulation will be implemented and upon the state; and

2. Stating whether there would be a detrimental effect on the environment and public health if the administrative regulation is not implemented; and
  3. If there would be a detrimental effect on the environment and public health, an explanation of the detrimental effect; and
- (j) A written statement identifying any statute, rule, regulation, or governmental policy which the administrative regulation may be in conflict with, overlap, or duplicate; and a written statement for the necessity to promulgate the administrative regulation if conflict, overlapping, or duplication is found to exist. The administrative body shall also indicate whether or not any effort has been made to harmonize the administrative regulation with any statute, rule, regulation, or governmental policy with which it has been found to be in conflict.
- (2) The Legislative Research Commission shall review all regulatory impact analyses submitted by all administrative bodies, and prepare a written analysis thereof and of the administrative regulation. The Legislative Research Commission may require any administrative body to submit background data upon which the information required by subsection (1) is based, and an explanation of how the data was gathered.

**Effective:** July 15, 1994

**History:** Amended 1994 Ky. Acts ch. 410, sec. 17, effective July 15, 1994. -- Created 1984 Ky. Acts ch. 417, sec. 24, effective April 13, 1984.